4	⊕E		12 - a MIN HOCH PUT/PTU 1 5 MAY 200
FORMI REV I	PTO-139 1-2000)	90 (Applied) U.S. DEPARTMENT OF COMMERCE PATENT AND TRAD	
MOA	15	RANSMITTAL LETTER TO THE UNITED ST	
not	•	DE GNATED/ELECTED OFFICE (DO/EO/	U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR
<b>3</b>		CC CERNING A FILING UNDER 35 U.S.C.	09/980845
IN		NAL APPLICATION NO. INTERNATIONAL FILING D PCT/US00/21340 04 August 20	
	OF I	NVENTION al Polynucleotides Expressed During Infection of a Ho	
			٠,
		T(S) FOR DO/EO/US	
IviG	ene (	Corporation	
A13			
	_	herewith submits to the United States Designated/Elected Office	_
1.	<b>X</b>	and the same and t	
2		This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.	
3.	X	This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include itens (5), (6), (9) and (24) indicated below.	
4.		The US has been elected by the expiration of 19 months from the priority date (Article 31).	
5.	X	A copy of the International Application as filed (35 U.S.C. 371 (c) (2))	
a. 🗆		— — manage de qui de la companion de la compan	
		b. $\square$ has been communicated by the International Bureau.	
		c. 🛮 is not required, as the application was filed in the United States Receiving Office (RO/US).	
6.		An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).	
a.  is attached hereto.		·	
		b.  has been previously submitted under 35 U.S.C. 154(d)(4).	
7.	X	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))	
a.   are attached hereto (required only if not communicated by the International Bureau).		ed by the International Bureau).	
-		b. 🛭 have been communicated by the International Bureau.	
		c. $\square$ have not been made; however, the time limit for making such amendments has NOT expired.	
		d.  have not been made and will not be made.	
8.		An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).	
9.		An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).	
10.		An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).	
11.		A copy of the International Preliminary Examination Report (PCT/IPEA/409).	
12.		A copy of the International Search Report (PCT/ISA/210).	
It	ems 1	13 to 20 below concern document(s) or information included:	
13.		An Information Disclosure Statement under 37 CFR 1.97 and	
14.		An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.	
15.		A FIRST preliminary amendment.	
16.		A SECOND or SUBSEQUENT preliminary amendment.	
17.		A substitute specification.	
18.		A change of power of attorney and/or address letter.	
19.		A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.	
20.		A second copy of the published international application under 35 U.S.C. 154(d)(4).	
21.		A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).	
22.	X	Certificate of Mailing by Express Mail	
23.	X	Other items or information:	
		Petition for Revival of an International Application for Pat CFR 1.137(b) and Patent Data Sheet	ent Designating the U.S. Abandoned Unintentionally Under 37

JC10 Rec'd PCT/PTO INTERNATIONAL APPLICATION NO ATTORNEY'S DOCKET NUMBER PCT/US00/21340 00-505-B 24. The following fees are submitted:. CALCULATIONS PTO USE ONLY BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) : Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . . . . . . \$1040.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the ÉPO or JPO ...... \$890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ...... \$740.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)....... \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = \$740.00 Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). \$130.00 **CLAIMS** NUMBER FILED NUMBER EXTRA **RATE** Total claims 16 - 20 = 0 x \$18.00 \$0.00 1 Independent claims 4 - 3 = X \$84.00 \$84.00 Multiple Dependent Claims (check if applicable). \$0.00 TOTAL OF ABOVE CALCULATIONS \$954.00 Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2. \$477.00 SUBTOTAL \$477.00 Processing fee of \$130.00 for furnishing the English translation later than □ 20 □ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). \$0.00 TOTAL NATIONAL FEE \$477.00 Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). \$0.00 TOTAL FEES ENCLOSED \$477.00 Amount to be: refunded \$ ¥ \$ charged X a. A check in the amount of 477.00 to cover the above fees is enclosed. b. Please charge my Deposit Account No. in the amount of to cover the above fees. A duplicate copy of this sheet is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment c. X to Deposit Account No. 13-2490 A duplicate copy of this sheet is enclosed. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. SEND ALL CORRESPONDENCE TO: Lisa M.W. Hillman McDonnell Boehnen Hulbert & Berghoff 300 S. Wacker Drive, Suite 3200 Lisa M.W. Hillman Chicago, IL 60606 NAME 43,637

DATE

November 15, 2001

**REGISTRATION NUMBER** 

09/980845

## JC10 Rec'd PCT/PTO

1 5 NOV 2001

## CERTIFICATE OF MAILING BY "EXPRESS MAIL" (NEW PATENT APPLICATION)

Express Mail No. EL604655742US

Deposited November 15, 2001

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above and is addressed to the Asst. Commissioner for Patents, Washington, DC 20231.

By: Sylvester Lockers (person actually depositing)

Patent Application of: Ann Progulske-Fox, et al.

Title: Microbial Polynucleotides Expressed During Infection of a Host

 $\underline{X}$  Patent Application (48 pages, including claims)

X 13 Pages of Sequence Listing

 $\underline{X}$  Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)

X Postcard

X 6 Sheets of Drawings

X Checks

 $\underline{X}$  Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally under 37 CFR 1.137(b) and Patent Data Sheet

Attorney Docket No.:00-505-B